

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

FELICIA BYERS,)	
)	
Plaintiff,)	C.A. No.: 05-711 (GMS)
)	
v.)	
)	Trial By Jury Demanded
HOUSEHOLD FINANCE CORPORATION,)	
HOUSEHOLD INTERNATIONAL, INC., AND)	
OR HOUSEHOLD PAYROLL SERVICES, INC.,)	
Delaware Corporations,)	
)	
Defendant,)	

NOTICE OF 30 (b)(6) DEPOSITION DUCES TECUM*

TO: Jennifer C. Jauffret, Esquire
Richards, Layton & Finger
One Rodney Square
920 N. King Street
Wilmington, DE 19801

PLEASE TAKE NOTICE, that pursuant to the provisions of Rule 30(b)(6), Federal Rules of Civil Procedure, the defendants, are to designate the person most knowledgeable with regards to the Topics shown on the attached Schedule "A" for a deposition to be taken on Thursday, October 19, 2006 beginning at 10:00 a.m. at the offices of Aber, Goldlust, Baker & Over, Suite 600, First Federal Plaza, 702 King Street, Wilmington, DE 19801.

ABER, GOLDLUST, BAKER & OVER

/s/ Gary W. Aber
GARY W. ABER (DSB #754)
702 King Street, Suite 600
P.O. Box 1675
Wilmington, DE 19899
302-472-4900
Attorney for Plaintiff

DATED: October 16, 2006

***The designated representative is to bring with him/her all documents relevant to, pertaining to, or mentioning the subject matters upon which the defendant will rely in this matter with regards to the topics contained in Schedule "A".**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that two copies of the attached pleading were hand delivered to the following counsel on October 16, 2006:

Jennifer C. Jauffret, Esquire
Richards, Layton & Finger
One Rodney Square
920 N. King Street
Wilmington, DE 19801

/s/ Melissa A. Chionchio
Melissa A. Chionchio
Secretary to Gary W. Aber, Esquire

SCHEDULE "A"

1. The facts, basis, and arguments of the defendant in reliance upon its Eighth Affirmative Defense as follows:

"[D]efendant may not be held vicariously liable for the actions of any employee who failed to act in accordance with defendant's anti-discriminatory policy and procedures.

2. The facts, basis, and arguments of the defendant in reliance upon its Ninth Affirmative Defense as follows:

"To the extent that the plaintiff alleges unlawful acts of her coworkers, such acts would have been outside the scope of the actor's authority, and thus the defendant is not liable for any wrongful conduct.

3. The facts, basis, and arguments of the defendant in reliance upon its Tenth Affirmative Defense, as follows:

"[I]f a fact finder decides that unlawful discrimination was committed by defendant's employees or others, such went against defendant's good faith efforts to comply with State and Federal laws, and to enforce its anti-discrimination policy, such that an award of punitive damages would be appropriate.

4. Any facts, policies, or documents upon which the defendant will rely in asserting any defenses based upon Burlington Industries, Inc. v. Ellereth, 524 U.S. 742 (1998), and/or Faragher v. Boca Raton, 524 U.S. 775 (1998).

